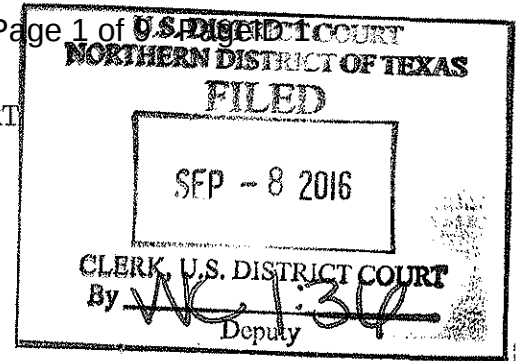


IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS



MARCIA M. KRONE,
Plaintiff,

vs.

CASE NO.:

4-16CV-836-A

DOUGLAS M. NELSON,
Defendant.

CIVIL COMPLAINT

Marcia M. Krone prepares and submits this complaint to the Court for evaluation and settlement. Plaintiff Marcia Krone states the following as her complaint against Defendant Douglas M. Nelson.

PARTIES

1. Marcia Krone is the widow of David A. Krone.
2. Douglas Nelson was David Krone's friend, legal representation on business ventures and executor of the David A. Krone Estate (Summit County Probate Case No. 2015 ES 000387).

FACTS

1. David Krone was a professional business owner, who had interest shares in a number of businesses. Douglas Nelson worked closely with David Krone on a number of the businesses.
2. Marcia Krone was married to, living with and was the primary care giver to her husband David Krone, during his long period of deteriorating and declining health, up to and including the time of his death on March 29, 2015.

COUNT I
BREACH OF FIDUCIARY DUTY

3. Plaintiff incorporates Paragraphs 1-3 as if fully rewritten herein.
4. Defendant had a fiduciary duty to David A. Krone when representing him as well as during the time of David Krone's Estate administration.
5. Defendant failed to fully carry out his fiduciary duties by not notifying the Plaintiff (widow) of necessary estate matters as is required by law.

6. Defendant has maintained in a position of conflict of interest further breaching his fiduciary duty.

COUNT II
LEGAL MALPRACTICE

7. Plaintiff incorporates Paragraphs 1-7 as though fully rewritten herein.

8. Defendant had a conflict of interest when he chose to author David Krone's estate documents.

9. While preparing Mr. Krone's estate documents, Defendant failed to name out "any and all previous trusts" in the new trust documents.

10. Defendant named himself as the executor of the David Krone Estate, when preparing David Krone's estate documents.

11. Defendant has failed to perform his probate duties, by failing to provide probate filed document to the heirs.

12. Defendant has a number of conflicts of interest he has failed to acknowledge and has continued to work beyond.

13. Defendant assisted in the Plaintiff losing a pretrial bond and her freedom, by providing false statements to a federal judge.

14. Defendant conspired with David Krone's ex-wife to wrongfully obtain life insurance proceeds.

COUNT III
PREVENTING HEIR FROM RIGHTFUL INHERITANCE

15. Plaintiff incorporates Paragraphs 1-15 as though fully rewritten herein.

16. Defendant failed at his legal duties and provided whited-out probate documents to Plaintiff.

17. Defendant has been asked on multiple occasions, for probate documents before they were finally provided to Plaintiff.

18. Defendant failed to disclose the sale of assets on estate documents, as well as values and income from the same.

WHEREFORE, Plaintiff Marcia Krone demands judgment against the Defendant as follows:

- A. For damages in excess of \$5 Million in an amount that will be proven at trial.
- B. For reasonable attorney fees on all counts in which such are permitted.
- C. For punitive damages in an amount determined according to law and all counts in which such are permitted.
- D. For the costs of this action, and
- E. Such other relief as the Court deems appropriate.

Respectfully submitted,



MARCIA M. KRONE

JURY DEMAND


Plaintiff demands trial by the maximum number of jurors on all issues properly tried to a jury.



MARCIA M. KRONE

CERTIFICATE OF SERVICE

I certify that I have served a true and correct copy of the foregoing upon the Clerk of the Court for electronic filing and distribution by placing the same in the United States Mail, postage prepaid on this 1st day of September, 2016.



MARCIA M. KRONE

CERTIFICATE OF INMATE TRUST ACCOUNT

I, the undersigned authorized officer of the FMC - Carswell
(name of institution)
where MARCIA MASTERS, Inmate ID No. 100493-060, is confined
(name of inmate)
as a prisoner, do hereby certify that:

(1) On this day the prisoner has in his account the sum of \$ \$163.79.

(2) During the past six months, the prisoner's:

Average monthly balance was \$ \$558.33.

Average monthly deposits to the prisoner's account were \$ \$558.33.

Attached is a certified copy of the prisoner's trust account statement (or institutional equivalent)
showing transactions for the past six months.

Signed this 29th day of August, 20 16.

B. Brumby Trust Fund Specialist
Authorized Officer

FMC - Carswell
Institution of Confinement

Authorization

I, the undersigned inmate, authorize the institution where I am incarcerated to withdraw and forward to the court any initial partial filing fee or appeal fee and any subsequent installments ordered by a Court under the *in forma pauperis* provisions of 28 U.S.C. § 1915.

Marcia Masters
Signature of Prisoner/Plaintiff/Appellant
Inmate ID No. 100493-060

Date: 08/29/2016
Time: 12:03:29 PM

Facility: CRW

TRUFACS
Inmate Statement
Sensitive But Unclassified

General Information

Inmate Reg#:	60493060	Living Quarter:	H02-208L
Inmate Name:	MASTERS, MARCIA M	Arrived From:	OKL
Current Site Name:	Carswell FMC	Transferred To:	
Housing Unit:	CRW-H-N	Account Creation Date:	9/9/2015

Transaction Details

Alpha Code	Date Time	Reference#	Payment#	Receipt#	Transaction Type	Transaction Amount	Encumbrance Amount	Ending Balance
CRW	08/19/2016 10:55:46 AM	3186			BP 199 Request - Released		\$30.00	
CRW	08/19/2016 10:57:35 AM	3192			BP 199 Request		(\$30.00)	
CRW	08/19/2016 01:53:34 PM	3192			BP 199 Request - Released		\$30.00	
CRW	08/23/2016 07:13:16 AM	3223			BP 199 Request		(\$30.00)	
CRW	08/23/2016 10:16:32 AM	3223			BP 199 Request - Released		\$30.00	
CRW	08/23/2016 10:16:58 AM	3226			BP 199 Request		(\$30.00)	
CRW	08/24/2016 04:48:15 PM	3226			BP 199 Request - Released		\$30.00	
CRW	08/25/2016 06:33:08 AM	12			Sales	(\$54.25)		\$83.19
CRW	08/25/2016 06:34:24 AM	14			Sales	(\$9.40)		\$73.79
CRW	08/25/2016 10:33:01 AM	TL0825			TRUL Withdrawal	(\$5.00)		\$68.79
CRW	08/27/2016 12:26:00 PM	TL0827			TRUL Withdrawal	(\$5.00)		\$63.79
CRW	08/28/2016 03:03:24 PM	33416241			Money Gram	\$100.00		\$163.79
Total Transactions:		204			Totals:	\$163.79	\$0.00	

Current Balances

Alpha Code	Available Balance	Pre-Release Balance	Debt Encumbrance	SPO Encumbrance	Other Encumbrance	Outstanding Instruments	Administrative Holds	Account Balance
CRW	\$163.79	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$163.79
Totals:	\$163.79	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$163.79

Date: 08/29/2016
Time: 12:03:29 PM

Facility: CRW

TRUFACS
Inmate Statement
Sensitive But Unclassified

General Information

Inmate Reg#:	60493060	Living Quarter:	H02-208L
Inmate Name:	MASTERS, MARCIA M	Arrived From:	OKL
Current Site Name:	Carswell FMC	Transferred To:	
Housing Unit:	CRW-H-N	Account Creation Date:	9/9/2015

Other Balances

National 6 Months Deposits	National 6 Months Withdrawals	National 6 Months Avg Daily Balance	Local Max. Balance -Prev. 30 Days	Average Balance- Prev. 30 Days	Commissary Restriction Start Date	Commissary Restriction End Date
\$3,350.00	\$3,489.75	\$202.08	\$351.44	\$176.29	N/A	N/A

CIVIL COVER SHEET

JS-44
(Rev. 1/85 DC)

I (a) PLAINTIFFS <i>Marcia Krone</i> (b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF (EXCEPT IN U.S. PLAINTIFF CASES) <i>Tarrant</i> (c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)	DEFENDANTS <i>Douglas M. Nelson</i> COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT (IN U.S. PLAINTIFF CASES ONLY) NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED <i>Cuyahoga</i> ATTORNEYS (IF KNOWN)
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II. BASIS OF JURISDICTION (PLACE AN X IN ONE BOX ONLY)	III CITIZENSHIP OF PRINCIPAL PARTIES (PLACE AN X IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT) FOR DIVERSITY CASES ONLY!																								
<input type="checkbox"/> 1 U.S. Government Plaintiff <input type="checkbox"/> 2 U.S. Government Defendant <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) <input checked="" type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in item III)	<table style="width: 100%;"> <thead> <tr> <th></th> <th>PTF</th> <th>DFT</th> <th></th> <th>PTF</th> <th>DFT</th> </tr> </thead> <tbody> <tr> <td>Citizen of this State</td> <td><input checked="" type="checkbox"/> 1</td> <td><input type="checkbox"/> 1</td> <td>Incorporated or Principal Place of Business in This State</td> <td><input type="checkbox"/> 4</td> <td><input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td><input type="checkbox"/> 2</td> <td><input checked="" type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td><input type="checkbox"/> 5</td> <td><input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td><input type="checkbox"/> 3</td> <td><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td><input type="checkbox"/> 6</td> <td><input type="checkbox"/> 6</td> </tr> </tbody> </table>		PTF	DFT		PTF	DFT	Citizen of this State	<input checked="" type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4	Citizen of Another State	<input type="checkbox"/> 2	<input checked="" type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6
	PTF	DFT		PTF	DFT																				
Citizen of this State	<input checked="" type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4																				
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Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6																				

IV. CASE ASSIGNMENT AND NATURE OF SUIT

(Place a X in one category, A-N, that best represents your cause of action and one in a corresponding Nature of Suit)

<input type="checkbox"/> A. Antitrust <input type="checkbox"/> 410 Antitrust	<input type="checkbox"/> B. Personal Injury/Malpractice <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Medical Malpractice <input type="checkbox"/> 365 Product Liability <input type="checkbox"/> 368 Asbestos Product Liability	<input type="checkbox"/> C. Administrative Agency Review <input type="checkbox"/> 151 Medicare Act Social Security: <input type="checkbox"/> 861 HIA ((1395)) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) Other Statutes <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 890 Other Statutory Actions (If Administrative Agency is Involved)	<input type="checkbox"/> D. Temporary Restraining Order/Preliminary Injunction Any nature of suit from any category may be selected for this category of case assignment. *(If Antitrust, then A governs)*
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<input type="checkbox"/> E. General Civil (Other) OR <input checked="" type="checkbox"/> F. Pro Se General Civil			
Real Property <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent, Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property Personal Property <input checked="" type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	Bankruptcy <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 Prisoner Petitions <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition Property Rights <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark Federal Tax Suits <input type="checkbox"/> 870 Taxes (US plaintiff or defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609	Forfeiture/Penalty <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 RR & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other Other Statutes <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 430 Banks & Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation	<input type="checkbox"/> 470 Racketeer Influenced & Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Satellite TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 900 Appeal of fee determination under equal access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes <input type="checkbox"/> 890 Other Statutory Actions (if not administrative agency review or Privacy Act)

<input type="checkbox"/> G. Habeas Corpus/ 2255 <input type="checkbox"/> 530 Habeas Corpus-General <input type="checkbox"/> 510 Motion/Vacate Sentence	<input type="checkbox"/> H. Employment Discrimination <input type="checkbox"/> 442 Civil Rights-Employment (criteria: race, gender/sex, national origin, discrimination, disability age, religion, retaliation) *(If pro se, select this deck)*	<input type="checkbox"/> I. FOIA/PRIVACY ACT <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 890 Other Statutory Actions (If Privacy Act) *(If pro se, select this deck)*	<input type="checkbox"/> J. Student Loan <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (excluding veterans)
<input type="checkbox"/> K. Labor/ERISA (non-employment) <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Labor Railway Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<input type="checkbox"/> L. Other Civil Rights (non-employment) <input type="checkbox"/> 441 Voting (If not Voting Rights Act) <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 445 American w/Disabilities-Employment <input type="checkbox"/> 446 Americans w/Disabilities-Other	<input type="checkbox"/> M. Contract <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholder's Suits <input type="checkbox"/> 190 Other Contracts <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<input type="checkbox"/> N. Three-Judge Court <input type="checkbox"/> 441 Civil Rights-Voting (If Voting Rights Act)

V. ORIGIN

- ☒ 1 Original Proceeding
 ☐ 2 Removed from State Court
 ☐ 3 Remanded from Appellate Court
 ☐ 4 Reinstated or Reopened
 ☐ 5 Transferred from another district (specify)
 ☐ Multi district Litigation
 ☐ 7 Appeal to District Judge from Mag. Judge

VI. CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE.)

Legal Malpractice

REQUESTED IN COMPLAINT

CHECK IF THIS IS A CLASS

☐ ACTION UNDER F.R.C.P. 23

DEMAND \$

Check YES only if demanded in complaint

JURY DEMAND: ☒ YES ☐ NO

VIII. RELATED CASE(S) IF ANY

(See instruction)

☐ YES ☒ NO

If yes, please complete related case form.

DATE *9/1/16* SIGNATURE OF ATTORNEY OF RECORD

INSTRUCTIONS FOR COMPLETING CIVIL COVER SHEET JS-44

Authority for Civil Cover Sheet

The JS-44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. Listed below are tips for completing the civil cover sheet. These tips coincide with the Roman Numerals on the Cover Sheet.

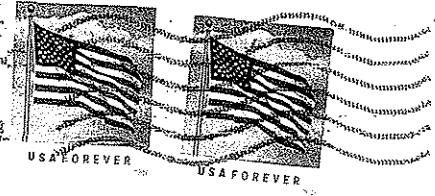
- I. COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF/DEFENDANT (b) County of residence: Use 11001 to indicate plaintiff is resident of Washington, D.C.; 88888 if plaintiff is resident of the United States but not of Washington, D.C., and 99999 if plaintiff is outside the United States.
- III. CITIZENSHIP OF PRINCIPAL PARTIES: This section is completed only if diversity of citizenship was selected as the Basis of Jurisdiction under Section II.
- IV. CASE ASSIGNMENT AND NATURE OF SUIT: The assignment of a judge to your case will depend on the category you select that best represents the primary cause of action found in your complaint. You may select only one category. You must also select one corresponding nature of suit found under the category of case.
- VI. CAUSE OF ACTION: Cite the US Civil Statute under which you are filing and write a brief statement of the primary cause.
- VIII. RELATED CASES, IF ANY: If you indicated that there is a related case, you must complete a related case form, which may be obtained from the Clerk's Office.

Because of the need for accurate and complete information, you should ensure the accuracy of the information provided prior to signing the form.

Name Marcia Masters
Reg. No. 60493060
Federal Medical Center, Carswell
P.O. Box 27137
Ft. Worth, TX 76127

U.S. DISTRICT COURT
NORTHERN DISTRICT
FT WORTH DIVISION
2016 SEP -8 PM 1:30
CLERK OF COURT

NORTH TEXAS TX FROM
DALLAS TX 750
06 SEP 2016 PM 1:11



⇌60493-060⇌
Eldon B Mahon Us Courthouse
501 W 10TH ST
Court Clerk Room 310
FORT Worth, TX 76102
United States

7610233541 0024

